(26)

HIGH COURT OF CHHATTISGARH, BILASPUR

Writ Petition(S) No.5920/2007

Petitioner

1. Bhuwan Lal Kashyap s/o Shri Khadharu Ram Kashyap aged about 38 years, Assistant Teacher, Govt. Primary School-Taldevari, Block Bamhnidih, District Janjgir Champa(CG)

2. Panchram Tamboli, s/o Sonu Ram Tamboli, aged about 42 years, Assistant Teacher, Govt. Middle School-Taldevari, Block Bamhnidih, District Janjgir Champa(CG)

Versus

RESPONDENTS

1. State of Chhattisgarh, through the Secretary, Department of Education, D.K.S. Bhawan, Raipur (C.G)
2. District Education officer, Distt. Janjgir Champa(CG) (C.G)
3. Block Education officer, Block Bamhnidih, Distt. Janjgir Champa(C.G)

Writ petition under Article 226 of the Constitution of India

Appearance:

Shri A.S.Rajput, counsel for the Petitioners.

Shri Ajay Dwivedi, Panel Lawyer for the State/ respondents on advance copy

---

ORAL ORDER
(25.9.2007)

Sunil Kumar Sinha, J.

Learned counsel appearing for the petitioners as also for the State/respondents jointly submit that the facts and question of law involved in the present writ petition are squarely covered by the decision of this Court in case of ***Yashwant Kumar Bharadwaj –vs- Municipal***

(27)

Corporation, Durg and another reported in 2006 (II) MPJR CG 96.

In subsequent cases, i.e., Writ petition (S) No.5862 of 2006 (Hemant Kumar Vishwakarma Vs. State of Chhattisgarh and others) and other connected matter, decided by this Court on 12.12.2006, pursuant to the memo dated 28.1.1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute i.e. B.T.I., has been changed and renamed as Diploma in Education i.e., D.Ed. Accordingly, the D.Ed., certificate holders are also covered by the decision in W.P.(S) No.5862/2006 *(Hemant Kumar Vishwakarma –vs- State of C.G & others (supra).*

For the aforementioned reasons, the writ petition is disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bhardwaj (supra)*, subject to verification of the fact as to whether the petitioners have acquired D.Ed.certificates at their own expenses as per the circular dated 24.12.1998 & 01.3.1999 and further whether they have been paid advance increments or not.

No order as to costs.

Sd/-
Sunil Kumar Sinha
Judge

sunita